

but one of those proposals. Interior based its denial of the Hudson application primarily on the opposition of the local community, including the opposition of a nearby Indian tribe with an existing gaming facility.

That denial led to the filing of a lawsuit on Sept. 15, 1995, in U.S. District Court in the Western District of Wisconsin by the three applicant tribes against the Secretary and three other DOI officials, seeking review of that decision. In their complaint, the plaintiffs alleged, among other things, that the denial of their application was arbitrary and capricious and that it was the product of improper political influence on the decision-making process within the Department of the Interior.¹¹

On July 12, 1996, the Wall Street Journal published an article entitled, *Midwest Indian Tribes Flex Washington Muscle In Successful Drive To Sink Rival Gaming Project*. The article highlighted the tactics of lobbyists retained by gaming tribes opposed to the Hudson proposal. In particular, the article quoted from a May 8, 1995, letter from Patrick O'Connor (a lobbyist for one of those tribes) to White House Deputy Chief of Staff for Policy and Political Affairs Harold Ickes, in which O'Connor stressed the tribal opponents' history of financial support for the Democratic Party. The article also recounted that O'Connor and the opponent tribes had met with Democratic National Committee National Chairman Donald Fowler to seek his assistance, and that Fowler subsequently contacted Ickes and perhaps DOI. The article noted that, between May 1995 and July 1996, approximately \$70,000 in contributions had been made by three of the tribes opposed to the casino application. The article also described a conversation between Paul Eckstein (a lobbyist for the applicants) and Secretary Babbitt on the day the decision was issued,

¹¹The lawsuit was recently settled pursuant to an agreement dated Oct. 8, 1999.